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Agenda item 116 (a)
Human rights questions: implementation of human rights instruments

Algeria, Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Bhutan, Brunei Darussalam, Burkina Faso, Burundi, Cameroon, China, Comoros, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Ghana, Grenada, Guinea, Guyana, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lebanon, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mongolia, Morocco, Myanmar, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Qatar, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Sierra Leone, Singapore, Sudan, Suriname, Swaziland, Syrian Arab Republic, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Viet Nam, Yemen and Zimbabwe: amendment to draft resolution A/C.3/54/L.8

Question of the death penalty

Insert a new operative paragraph before operative paragraph 1, reading:

Reaffirms that every State has an inalienable right to choose its political, economic, social and cultural systems, without interference in any form by another State.

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Antigua and Barbuda, Bahamas, Barbados, Dominica, Egypt, Ethiopia, Grenada, Guyana, Iran (Islamic Republic of), Japan, Libyan Arab Jamahiriya, Malaysia, Nigeria, Pakistan, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Sierra Leone, Singapore, Sudan, Suriname, Syrian Arab Republic, Trinidad and Tobago and United Arab Emirates: amendments to draft resolution A/C.3/54/L.8

Question of the death penalty

Insert the following new preambular paragraphs after the third preambular paragraph:

Recalling that, as the compromise on the question of the inclusion or non-inclusion of the death penalty as a penalty available to the International Criminal Court, all States participating in the Rome Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court agreed to the inclusion of article 80 of the Rome Statute, and agreed also that the President of the Conference would read a statement to the plenary of the Conference on 17 July 1998,

Recalling further that, in his statement to the plenary on 17 July 1998, the President of the Conference declared that the debate at the Conference on the issue of which penalties should be applied by the Court showed that there is no international consensus on the inclusion or non-inclusion of the death penalty, and further that not including the death penalty in the Rome Statute would not in any way have a legal bearing on national legislations and practices with regard to the death penalty, nor should it be considered as influencing, in the development of customary international law or in any other way, the legality of penalties imposed by national systems for serious crimes,

Acknowledging that at the Rome Conference all States which retain the death penalty reaffirmed their sovereign right to impose the death penalty in accordance with the laws of their respective States, and also acknowledging that the debate on this issue produced a global recognition that there is no international consensus on the abolition of the death penalty.

99-31965 (E) 281099

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Question of the death penalty

Delete operative paragraph 3.

99-31971 (E) 281099

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Antigua and Barbuda, Bangladesh, Barbados, China, Egypt, Guyana, Iran (Islamic Republic of), Jamaica, Kenya, Malaysia, Pakistan, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saudi Arabia, Singapore, Sudan and Trinidad and Tobago: amendment to draft resolution A/C.3/54/L.8

Question of the death penalty

After the second preambular paragraph, insert the following preambular paragraph:

Affirming that the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty imposes an obligation only on States parties to the Protocol to take all necessary measures to abolish the death penalty within their jurisdiction.

99-31977 (E) 281099

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Antigua and Barbuda, Ethiopia, Iran (Islamic Republic of), Pakistan, Rwanda, Saint Lucia, Saudi Arabia and Trinidad and Tobago: amendment to draft resolution A/C.3/54/L.8

Question of the death penalty

Delete the sixth preambular paragraph.

99-31983 (E) 281099

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Singapore: amendment to draft resolution A/C.3/54/L.8

Question of the death penalty

In the third preambular paragraph, replace the word "*Welcoming*" with the words "*Taking note* of", and insert the words "and the joint statement of disassociation contained in document E/1999/113 dated 23 July 1999" at the end of the paragraph.

99-31989 (E) 281099

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China, Comoros, Indonesia, Iran (Islamic Republic of), Jamaica, Malaysia, Myanmar, Saint Kitts and Nevis, Saint Lucia, Saudi Arabia, Sudan, Suriname, Syrian Arab Republic, Trinidad and Tobago and United Arab Emirates: amendment to draft resolution A/C.3/54/L.8

Question of the death penalty

After the third preambular paragraph, insert the following preambular paragraph:

Acknowledging also that each culture has a dignity and value which must be respected and preserved, and that in their rich variety and diversity, and in the reciprocal influences they exert on one another, all cultures form part of the common heritage belonging to all mankind.

99-32020 (E) 281099

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Antigua and Barbuda, Barbados, China, Comoros, Democratic People's Republic of Korea, Iran (Islamic Republic of), Jamaica, Libyan Arab Jamahiriya, Malaysia, Myanmar, Saint Kitts and Nevis, Saint Lucia, Saudi Arabia, Sudan, Suriname, Syrian Arab Republic, Trinidad and Tobago and United Arab Emirates: amendment to draft resolution A/C.3/54/L.8

Question of the death penalty

After the third preambular paragraph, insert the following preambular paragraph:

Acknowledging that there is a great diversity of legal, social, economic, cultural and geographical conditions in the world, and that all rules are not suitable for application in all places and at all times.

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Indonesia, Jamaica, Libyan Arab Jamahiriya, Malaysia, Myanmar, Saint Kitts and Nevis, Saint Lucia, Saudi Arabia, Sudan, Suriname, Syrian Arab Republic, Trinidad and Tobago and United Arab Emirates: amendment to draft resolution A/C.3/54/L.8

Question of the death penalty

After the first preambular paragraph, insert the following preambular paragraph:

Recalling further that the International Covenant on Civil and Political Rights realized that the individual, having duties to other individuals and the community to which he belongs, is under a responsibility to strive for the promotion and observance of the rights recognized in the Covenant.

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Antigua and Barbuda, Barbados, China, Democratic People's Republic of Korea, Egypt, Indonesia, Iran (Islamic Republic of), Jamaica, Libyan Arab Jamahiriya, Malaysia, Myanmar, Pakistan, Qatar, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saudi Arabia, Singapore, Sudan, Suriname, Syrian Arab Republic, Trinidad and Tobago and United Arab Emirates: amendment to draft resolution A/C.3/54/L.8

Question of the death penalty

After preambular paragraph 6, insert the following preambular paragraph:

Noting that the imposition of the death penalty is first and foremost a criminal justice issue in the context of the rights of victims and the community to live in peace and security,

99-32171 (E) 291099

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Barbados, Malaysia, Qatar, Rwanda, Saudi Arabia, Trinidad and Tobago and United Arab Emirates: amendment to draft resolution A/C.3/54/L.8

Question of the death penalty

After preambular paragraph 7, insert the following preambular paragraph:

Also taking note of the fact that some countries exercise their sovereign right to apply the death penalty,

99-32177 (E) 291099